

DEPARTMENT OF HEALTH BOARD OF NURSING HOME ADMINISTRATORS MEETING MINUTES

Friday, September 19, 2003

Department of Health, Point Plaza East, Conference Room 152,
310 Israel Road, Tumwater, Washington 98501

On Friday, September 19, 2003, the Board of Nursing Home Administrators met at the Department of Health, Point Plaza East, 310 Israel Road, in Tumwater, Washington. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

MEMBERS PRESENT

Jim Bennett, Chair
Linda Batch, LPN
Donna El-Din, PT
Keith Fausero
Lennette Watson

STAFF PRESENT

Paula Meyer, Executive Director
Gail Zimmerman, Executive Director
Kendra Pitzler, Program Manager
Margaret Gilbert, Staff Attorney

OPEN SESSION

9:20 a.m.

1. CALL TO ORDER

1.1 Approval of Agenda

Items 9 and 10 were moved to the top of the agenda so that Margaret Gilbert, staff attorney could present. The Agenda was approved as amended.

1.2 Announcements and Introduction of Present Board Members, New Board Members and Staff.

Department of Health staff has changed since the last meeting. Board members and Department of Health staff introduced themselves. Keith Fausero is a new member to the Board.

1.3 Approval of Minutes.

The minutes were approved as written.

2. DISCUSSION REGARDING THE TRANSFER OF THE NURSING HOME ADMINISTRATOR PROGRAM AND BOARD TO HEALTH SERVICES SECTION 6.

(Paula Meyer and Kendra Pitzler)

Ms. Meyer and Ms. Pitzler explained that board support and licensing functions for nursing home administrators has been moved from Health Professions Quality Assurance Division(HPQAD), Section 3 to HPQAD, Section 6. This means that the Nursing Home Administrators are now “housed” with the Registered and Practical Nurses, Nursing Technologists, Nursing Assistants, Nursing Pools, Surgical Technologists and Midwives. Staff has already found issues that interconnect and are excited about the addition of nursing home administrators.

3. DISCUSSION REGARDING THE GOALS AND OBJECTIVES FOR THE JULY 1, 2001-JUNE 30, 2003 BIENNIUM AND THE GOALS AND OBJECTIVES FOR THE JULY 1, 2003-JUNE 30, 2005 BIENNIUM.

3.1 Review of The July 1, 2001-June 30, 2003 Goals and Objectives

The Board reviewed the current goals and objectives and made suggestions for changes for the upcoming biennium. Changes will be brought back to the next meeting for review.

3.2 Updates on existing and future subcommittees and task force work

The education sub-committee has been looking at continuing education requirements. There is nothing pending at this moment. However, it was noted that there is no tracking system of the continuing education and that topics are very broad and may need to be “tightened up”. While Donna El-Din continues to serve on the board until a replacement is named, it was noted that someone needs to replace her on this sub-committee.

No representatives from the Case Disposition sub-committee attended this meeting. Current work will be discussed at the next meeting.

The Rules Sub-committee has nothing pending at this time. This subcommittee is ad hoc and members are appointed as needed.

Members indicated that Marc DeFreyn, AAG has most of the information pertaining to the Task Force on the Disciplinary Action Form. He is to report on this at the next meeting.

3.3 Status of Rules

There are no rules in process at this time. The last rules to go into effect were the changes to the continuing education requirements and returning an expired license to active status. The changes were effective on February 17, 2003.

3.4 Board Policy on complaints involving administrators who do not take the required course within 180 days of initial licensure.

The Board reviewed a written motion submitted by Cal Groenenberg on November 1, 2002. This motion suggests a policy which indicates that if

the state law training is not taken within 180 days, a Notice of Correction will be issued. An administrator not in active practice in Washington could sign a declaration stating that if he/she ever enters active practice in Washington he/she will take the next scheduled state law training course. This would then resolve the complaint without action as "below threshold-otherwise resolved".

It was noted that this would save paperwork and staff time. But members wanted to know what happens after the Notice of Correction is issued. Is there ever follow-up to this? It was requested that staff look at all respondents who received a Notice of Correction and/or Stipulation to Information Disposition for non-compliance with the state law training rule to determine if they have since taken the training. This information will be brought back to the next meeting.

4. DISCUSSION REGARDING THE BUDGET PROCESS AND BUDGET FOR THE JULY 1, 2003-JUNE 30, 2003 BIENNIUM.

Staff reviewed the latest budget report with the Board. This report was for the month ending June, 2003. It was noted that the attorney general's costs were over by a large amount. Staff indicated that this was a trend in most professions and that there had been an increase in the attorney general office billing rates.

5. PROGRAM REPORT – Paula Meyer and Kendra Pitzler.

5.1 2004 Proposed Legislation by Department of Health

Ms Meyer explained the proposals affecting health care professions that the Department of Health is planning to present to the legislature.

- The Uniform Disciplinary Act currently gives the department the authority to obtain documentation by issuance of subpoena. The proposed legislation clarifies that the secretary's designee has the right to enter premises where health care services are provided, that the designee need not give prior notification, the designee may compel the immediate production of health care and financial records and may remove property described in an investigative warrant.
- The Department is also requesting an amendment to the Uniform Disciplinary Act to allow self-executing orders, which would save the programs time and money on processing "default" orders to statement of charges where the respondent does not respond.
- The Department is working on proposed legislation to eliminate credentialing barriers for health professions. This legislation proposes changes for specific professions, including sex offender treatment providers, acupuncturists, dental hygienists, dispensing opticians, nursing professions and psychologists.

5.2 Discussion regarding possible NHA Legislation for 2004 (if any).

Board members and staff were not aware of any legislation to be proposed which specifically targeted nursing home administrators.

5.3 DOH-Board/Commission/Committee Conference

The Board reviewed the agenda for the Board/Commission/ Committee conference to take place on October 3, 2003. Staff indicated that if anyone was still interested in attending, they should submit their registration today.

5.4 NAB Fall/Winter Meeting

Staff informed the board that the department had recently changed the rules regarding the number of board members/staff that can participate in out-of state travel every year. In the past, the Board has sent two people to the NAB meeting held in the spring/summer and one person to the NAB meeting held in the fall. The new policy only allows two out-of-state trips per year. Board members were disappointed in this policy as they feel that it is beneficial to have both a board member and staff member attend the spring/summer NAB meeting. Ms. Meyer indicated that she would check into this further.

The 2003 fall meeting is to take place in Austin, Texas from November 5, 2003 through November 7, 2003. It was decided that Jim Bennett would attend this meeting.

5.5 Incomplete Applications

The Board reviewed a memorandum from Ms. Pitzler. In reviewing incomplete applications, Ms. Pitzler noticed that many applicants had actually completed their approved Administrator-in-Training (AIT) program but had never taken and/or never passed the examination. Ms. Pitzler indicated that these applicants may be able to come back at any time and take the examination. She asked board members if skills learned in AIT are retained if they are not being used. She noted that there are currently 12 applications that were approved for examination over a year ago. Of these applications, three of them were approved before 2000, 6 of them were approved in the year 2000 and three were approved in 2001 or 2002.

Board members indicated that there should be a policy indicating that the applicant must take and pass the examination within 24 months of completing their AIT or their application will be considered null and void. Ms. Pitzler indicated that she will check with the assistant attorney general to determine if a policy would be "enforceable". It may be more appropriate to put this into rule.

5.6 Operating Agreement

The Board reviewed the current board operating agreement.

5.7 Board Member Protocols – Discussion and decision on the adoption of board member protocols.

Board members reviewed the proposed Board/Commission Protocols. It was noted that one of the protocols indicated that board members should

not hold office in their specific professional associations or societies while serving on the board. Mr. Bennett indicated that there may be a couple of board members not at this meeting who have problems with this section and that these board members may hold office. It was determined that this item should be tabled to the next meeting when the rest of the board members could review and comment on it.

5.8 Other

The Board requested that staff invite Department of Social and Health Services personnel to speak at the next meeting and to inform the Board how the state law training is progressing.

6. DISCUSSION TO SET DATES AND LOCATIONS OF NURSING HOME ADMINISTRATORS MEETINGS FOR 2004

It was determined that the next meeting should take place on November 21, 2003 in Olympia and that the 2004 dates should be set at that time.

7. OPEN FORUM FOR PUBLIC INPUT

There was not public comment offered at this meeting.

8. DISCUSSION REGARDING NURSING HOME ADMINISTRATOR INVESTIGATIVE AND DISCIPLINARY PROCESSES.

The Board and staff reviewed the processes for investigation and disciplinary actions.

9. DISCIPLINARY CASE PRESENTATIONS

10. Review of Disciplinary Cases *Case Disposition Panel Review*

11. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:50pm.